

EXHIBIT 5
PUBLIC REDACTED VERSION

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Page 1

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE GOOGLE PLAY STORE
ANTITRUST LITIGATION

Case No.
3:21-md-02981-JD

THIS DOCUMENT RELATES TO: **MDL No. 2891**

Epic Games Inc. v. Google LLC,
et al.,
Case No. 3:20-cv-05671-JD

In re Google Play Consumer
Antitrust Litigation,
Case No. 3:20-cv-05761-JD

In re Google Play Developer
Antitrust Litigation,
Case No. 3:20-cv-05792-JD

State of Utah, et al.,
v. Google LLC, et al.,
Case No. 3:21-cv-05227-ID

Match Group LLC, et al.,
v. Google LLC, et al.,
Case No. 3:22-cv-02746-ID

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REMOTE VIDEOTAPED DEPOSITION BY VIRTUAL ZOOM OF
PURNIMA KOCHIKAR
Wednesday, August 31, 2022

Reported By: Lynne Ledanois, CSR 6811

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Page 2

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Case No. 3:22-cv-02746-JD

Remote videotaped deposition of PURNIMA KOCHIKAR, taken in San Francisco, California, commencing at 9:04 a.m., on Wednesday, August 31, 2022 before Lynne Ledanois, Certified Shorthand Reporter No. 6811

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Page 3

REMOTE APPEARANCES

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111

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Page 4

1 REMOTE APPEARANCES

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Page 5

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4 **Google Play Consumer Antitrust Litigation:**

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7 **AARON SCHWARTZ**

8 **Attorneys at Law**

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14

15 **ALSO PRESENT:**

16 **Jeanette Teckman, Match In-House Counsel**

17 **Kathlyn Querubin, Google In-House Counsel**

18 **Jeffree Anderson, Videographer**

19 **Chinyere Woods, Veritext Concierge**

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Page 6

1 **I N D E X O F E X A M I N A T I O N**

2

3 Examination by:	Page
4 Ms. Moskowitz	14
5 Mr. Reiter	276

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Page 13

Wednesday, August 31, 2022

9:04 a.m.

THE VIDEOGRAPHER: Good morning. We're going on the record at 9:04 a.m. Pacific time on August 31st, 2022.

Please note that this deposition is being conducted virtually. Audio and video recording will continue to take place unless all parties agree to go off the record.

This is Media Unit 1 of the video-recorded deposition of Purnima Kochikar taken by counsel for the plaintiffs in the matter of In Re Google Play Store Antitrust Litigation filed in the United States District Court for the Northern District of California, San Francisco Division, case number is 3:21-md-02981-JD.

This deposition is being conducted remotely using virtual technology. My name is Jeffrey Anderson representing Veritext. The court reporter is Lynne Ledanois from the firm Veritext.

All appearances are noted on the record
and the witness can be sworn in.

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Page 14

1 PURNIMA KOCHIKAR,

2 having been duly sworn, testified as follows:

3

EXAMINATION

5 BY MS. MOSKOWITZ:

6 Q Good morning, Ms. Kochikar. My name is
7 Lauren Moskowitz, as you heard. I represent Epic
8 Games and I'll be starting your deposition today.

9 If you could just please state your full
10 name for the record.

11 A Purnima Kochikar.

12 | Q And can you provide your address, please?

13 A

15 Q Thank you. Today we'll be -- I'll be
16 asking you questions, you will be providing answers.
17 I'm going to do my best to avoid speaking over you.
18 I may do it if I can't tell you were done.

19 But I would ask that you try to also wait
20 for me to finish my question before you start your
21 answer.

22 Is that okay?

23 A Yes .

24 Q And please, if at any point you don't
25 understand one of my questions, please ask me for

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Page 278

1 involvement with respect to managing Google's
2 partnerships and relationships with the Match
3 plaintiffs?

4 A Oh, my team works on a day-to-day basis with
5 counterparts, with various Match companies and then we
6 have bi-annual sometimes annual QBRs. But if there
7 are key meetings, then I get involved.

8 Q So I want to start by asking you about
9 Google's payments policy.

10 A Yes.

11 Q Before September 2020, Google's payment
12 policy had an exception that said that developers
13 are not required to use Google Play Billing for the
14 purpose of digital content that may be consumed
15 outside the app itself; is that right?

16 A Yes, and it said like MP3 players.

17 Q And Google removed that exception from its
18 payment policy in September 2020; correct?

19 A Yes.

20 Q Did the Match plaintiffs qualify for that
21 exception before Google removed it?

22 A No.

23 Q Why not?

24 A It was meant for a very narrow use case like
25 music. I think it was open to misinterpretation. We

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Page 279

1 sat down and looked at -- because most of the content
2 is being used within the app and the determination by
3 our policy experts was that they didn't.

4 Q When you say that it was open to
5 interpretation, do you mean that the policy
6 exception could be read to apply to the Match
7 plaintiffs?

8 A I think that developers interpreted it to
9 benefit their own interpretation.

10 Q [REDACTED]

Q Well, do you believe it was reasonable for

the Match plaintiffs and other developers to

interpret the policy to not require them to use

Google Play Billing?

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Page 374

1 I, LYNNE M. LEDANOIS, a Certified
2 Shorthand Reporter of the State of California, do
3 hereby certify:

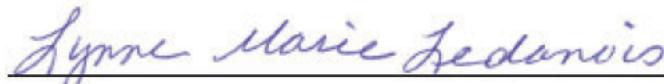
4 That the foregoing proceedings were taken
5 before me at the time and place herein set forth;
6 that a record of the proceedings was made by me
7 using machine shorthand which was thereafter
8 transcribed under my direction; that the foregoing
9 transcript is a true record of the testimony given.

10 Further, that if the foregoing pertains to
11 the original transcript of a deposition in a Federal
12 Case, before completion of the proceedings, review
13 of the transcript [X] was [] wasn't requested.

14 I further certify I am neither financially
15 interested in the action nor a relative or employee
16 of any attorney or party to this action.

17 IN WITNESS WHEREOF, I have this date
18 subscribed my name.

19 Dated: September 1, 2022

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LYNNE MARIE LEDANOIS

CSR No. 6811

Errata Sheet - Deposition of Purnima Kochikar

Case: *In re Google Play Store Antitrust Litigation*, Case No. 3:21-md-02981-JD
In re Google Play Consumer Antitrust Litigation, Case No. 3:20-cv-05761-JD
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Match Group LLC, v. Google LLC, Case No. 3:22-cv-02746-JD

Date of Deposition: August 31, 2022 and September 1, 2022

Page #	Line #	Currently Reads	Correction	Reason for Correction
17	12	Four.	Six.	Clarification
21	2	blip points	Play Points	Transcription error
31	23	premium model	freemium model	Transcription error
34	6	Late '20,	Late 2020,	Transcription error
34	10	each of the piece PAs	each of the PAs	Transcription error
35	3	Latin.	LATAM.	Transcription error
45	7	even	given	Transcription error
63	2	use of	user	Transcription error
68	10	aboout	about	Spelling error
70	9	Mr. Shafiq	Mr. Ahmed	Clarification
75	24	excuse	exclusive	Transcription error
79	19	source	standard	Transcription error
93	6	water phone	to Vodafone	Transcription error
94	1	contract holdings	contracts	Clarification
96	11	sufficient preference	sufficient presence	Clarification
97	8	apps	Ad Partners	Transcription error, Clarification
99	20	not an odd condition	not an and/or condition	Clarification
100	9	seeing.	saying.	Transcription error

Page #	Line #	Currently Reads	Correction	Reason for Correction
109	17	as opposed to Hug.	to be part of Hug.	Transcription error
112	3	hid base	hit based business	Transcription error, Clarification
112	4	guess	forecast	Clarification
112	20	Android was displayed;	Android versus Play;	Transcription error
124	11	premium	freemium	Transcription error
133	1	place LANs	one lens,	Transcription error
133	12	Was there	Blizzard	Transcription error
141	23	it	in	Transcription error
144	2	word	worried	Transcription error
147	13	extensions	assumptions	Transcription error
149	13	growing	growing them	Clarification
151	2	pre-ordered	preloaded	Transcription error
161	18	book	board	Transcription error
163	3	binary	more binary	Transcription error
166	12	sim-ship and through	sim-shipping through	Transcription error
173	21	doing	partnering	Transcription error
177	1	now as a	during	Clarification
179	21	is Android	Android is	Clarification
179	25	get to	invest in	Clarification
181	2	as	us	Transcription error
183	7	Not Magical Bridge documents.	I looked at Magical Bridge documents.	Clarification
183	21	the best	witness	Transcription error
190	7	modular	margin	Transcription error
190	11	variables	wearables	Transcription error

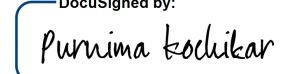
Page #	Line #	Currently Reads	Correction	Reason for Correction
201	3	modules.	margins.	Transcription error
204	14-15	ad words	Android	Transcription error
205	22	note	know	Transcription error
223	11	exact	exec	Transcription error
230	6	matagores	metaverse	Transcription error
231	10, 14	creative	creator	Clarification
232	7	creative	creator	Clarification
235	22	we is	this is	Transcription error
237	3	simply	similarly	Transcription error
239	24	Chrome.	Chromebook.	Transcription error
249	20	they operate	they're downloading	Transcription error
252	13	use billing.	use our billing.	Transcription error
261	9	local	vocal	Transcription error
265	12	variables	wearables	Transcription error
265	16	between things	between platforms	Clarification
266	17	billings of this model	billing service model	Transcription error
269	13	Mr. Alexander	Mr. Zerdick	Clarification
273	13	needs	leaves	Transcription error
278	14	purpose	purchase	Transcription error
294	13	There are possibilities	There is a possibility	Clarification
294	13-14	and departments act on it	and developers don't act on it	Clarification
295	5-6	reserved like a	were	Clarification
295	15	understanding	understanding their needs	Clarification
301	22	variable	wearables	Transcription error
302	4	that they	where they	Clarification

Page #	Line #	Currently Reads	Correction	Reason for Correction
302	8	there's	driven by	Clarification
302	12	Plus	Because	Transcription error
303	11	have been	went	Transcription error
308	18	navigational source	navigational search	Transcription error
311	3	was	versus	Transcription error
314	16	categories	categoric search	Clarification
317	17	Play meets	Play Leads	Transcription error
337	13	was	wasn't	Transcription error
338	3	bills	builds	Transcription error
340	9	calls.	calls, or in where our product sits.	Transcription error
342	25	themselves.	themselves to be so.	Clarification
344	1	the link	Play Billing	Transcription error
347	22	this thing	versus thinking	Transcription error
348	2	keep	deep	Spelling error
357	8-9	reach at that time they are	were at that time	Transcription error
359	3	unbelievably into	unbelievably leaned in into	Transcription error
359	6	variables	wearables	Transcription error
359	13	available	a wearable	Transcription error
359	16-17	engaging for use	engaged in for years	Transcription error
364	18	became	was	Clarification
365	16	approval	our promo	Transcription error
366	10	have value	saw value	Clarification
369	21	like saying	understand	Transcription error

Page #	Line #	Currently Reads	Correction	Reason for Correction
391	23	other places	other media	Clarification
402	20	deter	withdraw	Transcription error
410	23	would	would know	Clarification
410	23	conversations came	restrictions come	Transcription error
412	5	was the original	the original	Clarification
412	6	ability to install for the	need to install	Clarification
414	12	that	about	Clarification
420	16	February 9th, 2020	May 29, 2020	Clarification
425	16	direct managers	product managers	Transcription error
428	1	Apple	Oppo	Transcription error
430	13, 14	partnership	partner	Transcription error
440	19	view	see	Clarification
446	9	intact	in tech	Transcription error
452	1	how	somehow	Transcription error
452	23-24	build it	build for the ecosystem	Clarification
456	17	ware	wearables	Spelling error, clarification
460	21	they	there	Transcription error
465	16	can	can't	Transcription error
466	20	credits.	readiness.	Transcription error
468	4	Google Play Billing	User Choice Billing	Transcription error
469	5	also determine	also be determined	Transcription error
481	5	10 percent	2 percent	Transcription error
486	14	Yes.	Very.	Transcription error

I, the undersigned, declare under penalty of perjury, that I have read the above-referenced deposition transcripts and have made corrections, additions, or deletions that I desired to make; and that the transcripts contain my true and correct testimony.

EXECUTED this 17th day of October at San Francisco, California.

DocuSigned by:

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Purnima Kochikar